

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

WOODROW J JONES SR,

*Plaintiff,*

V.

GRAPELAND INDEPENDENT SCHOOL DISTRICT, DON JACKSON, INDIVIDUALLY AND IN HIS/HER OFFICIAL CAPACITY; KRISTI BELL, INDIVIDUALLY AND IN HIS/HER OFFICIAL CAPACITY; BRAD SPISAK, INDIVIDUALLY AND IN HIS/HER OFFICIAL CAPACITY; DAVID MAASS, EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, SUSANA NAHAS, INVESTIGATOR; DEIDRA HENRY, INVESTIGATOR; ELIZABETH PORRAS, TRAVIS M NICHOLSON, JAMES MARTIN, JOSH GOOLSBY, TIM HOWARD, CHANCE HUFF, ALLEN CHEATHAM, RYAN RICHIE, MELISSA COBB, KENDRA HUFF, LIGITA D. LANDRY,

*Defendants.*

## ORDER ADOPTING REPORT AND RECOMMENDATION


On March 22, 2023, the Court referred this case to United States Magistrate Judge Zack Hawthorn for pretrial management. Pending is *pro se* Plaintiff Woodrow J. Jones (“Jones”) Sr.’s Motions for Default Judgment against Defendants Erin Norris, Travis Nicholson, Deidra Henry and Susana Nahas. Doc. Nos. 33, 51-54. On October 19, 2023, Judge Hawthorn issued his Report and Recommendation denying the motions because those defendants were not properly served. [Dkt. 55]. Judge Hawthorn also denied Jones’ Motion to Object Proof of Service Being Unexecuted on Defendants, Motion for Sanction on Defendants for Failure to Accept Waiver of Summons of Service

and/or Summons in a Civil Action and Motion to Opposing Notice of Improper Service (Dkt. Nos. 29, 30, 42).

On October 30, 2023, Jones filed timely objections to the Report and Recommendation. [Dkt. 58]. To the extent that Jones objects to the Report and Recommendation denying the motions for default judgment, this requires the Court to determine *de novo* any part of the magistrate judge's proposed findings and recommendations to which a specific objection is timely made. 28 U.S.C. § 636(b)(1)(C). Inasmuch as Jones objects to Judge Hawthorn's rulings on the non-dispositive matters, the Court may reconsider any matter where it has been shown that the magistrate judge's order is clearly erroneous or contrary to law. 28 U.S.C. § 636(b)(1)(A).

After conducting the proper review, the Court finds Jones' objections lack merit. As illustrated by the magistrate judge, Jones has not shown proper service to allow for the possibility of a default judgment. Moreover, Judge Hawthorn's rulings on the other non-dispositive matters are not clearly erroneous or contrary to law. The Report and Recommendation [Dkt. 55] is ADOPTED. The Motions for Default Judgment [Dkt. 33, 51-54] are DENIED.

**SIGNED this 14th day of December, 2023.**



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Michael J. Truncala  
United States District Judge